

autonomy of the Hawaiian Government in all its dominions and its rights of sovereignty over such dominions.

The Hawaiian Government as an equivalent for such guarantee, and in order to enable the United States to guarantee the sovereignty and independence of Hawaii efficaciously and without danger of complication with other powers, agrees that no treaties, conventions or agreements shall be negotiated or made between Hawaii and any other power, potentate or state without the full knowledge of the Government of the United States.

ARTICLE V.

It is agreed that this convention shall be ratified by the President of the United States by and with the advice and consent of the Senate thereof and by His Majesty the King of Hawaii and the ratifications exchanged as soon as possible, and upon such exchange of ratifications and proclamation thereof by the President of the United States and the King of Hawaii the stipulations thereof shall go into effect with the exception of the third article which shall go into effect upon some date to be agreed upon after the Congress of the United States, and the Legislature of the Hawaiian Islands shall have passed the necessary laws to give effect to its provisions.

ARTICLE VI.

The present convention shall remain in force until modified or terminated by mutual consent. A conference for the purpose of considering the modification or termination of this convention or any of the conventions or treaties shall be held at the capital of one or other of the two countries for such purpose at any time within six months after either of the high contracting parties shall have given formal written notice to the other of its desire to hold such conference.

THE "LANDING OF THE TROOPS" PROPOSITION.

Mr. Carter then suggested that as it was proposed the United States shall guarantee the independence of Hawaii, the Secretary of State at Washington might ask for the purpose of properly carrying out this guarantee, the privilege of landing troops in this country, and asked what they would authorize him to say to such a proposition if made. The Cabinet asked Mr. Carter in what form he thought they would ask for such a privilege. Mr. Carter wrote out two alternative forms of what he thought might be proposed, which alternate propositions were as follows:

Proposed additions to Article 4.

And the Hawaiian: If (which God for Government further bid) the independence in consideration and sovereignty of such guarantee or the tranquil advice, and to enable administration of the United States to Hawaii, the Government effectually protectment should be the independence threatened, it is and tranquility of the agreed that the forces Hawaiian Islands, of the United States that the forces of the may have such free United States may of action in the have access to such territories of Hawaii parts of the Hawaii, as may be necessary an dominions as may in securing the independence and peace-ful administration of the Hawaiian Government.

This proposition, together with the draft of the treaty, was then copied on the type-writer and five copies given, one to Mr. Carter and one to each of the Cabinet, and the subject considered—the "landing of troops proposition"—being attached to the back of the draft of proposed treaty.

The testimony of Messrs. Austin, Thurston and Damon is that, after discussing the "landing of troops proposition," it was unanimously and finally decided by the Cabinet that if the United States should ask for the insertion of such a condition in the treaty it should be rejected, as they would not consent to any such clause or recommend it to the King. Whereupon Ministers Austin, Thurston and Damon drew their pencils through their respective copies of the proposition and wrote "rejected" against them. Copies of these original drafts with the proposition scratched out were shown your committee, which bear every appearance of being genuine.

Ministers Thurston and Austin state that when the Cabinet came to this conclusion, Mr. Carter said he concurred in their decision and that he did not think it for the best interests of the country to have such a clause in the treaty, or words to that effect.

The above form of treaty having been agreed upon, Mr. Damon took his copy to the King and explained all that had been done. Among other items he explained to His Majesty the "landing of troops proposition," and said that the Cabinet had unanimously rejected it, and that he had drawn his pencil through it. His Majesty replied "Mr. Damon, why leave that clause out?" Whereupon Mr. Damon explained the reason to him.

CABINET COUNCIL APPROVAL OF PROPOSED TREATY.

The terms of the treaty having been finally agreed upon the Ministers met the King in Cabinet Council the 24th of September, 1889, to discuss it, the King presiding. After a full discussion the treaty as proposed was unanimously agreed to, and Minister Austin was requested to instruct Mr. Carter to attempt to negotiate such a treaty. This Minister Austin did on the 27th day of September, 1889, giving Mr. Carter full instructions as to the basis on which the proposed treaty was to be negotiated. The minutes of the Council show that the action taken was unanimous. The minutes of the council, we are informed, are taken by Mr. Ashford and copied into the minute book by Mr. Austin.

PROPOSED AUTHORIZATION TO MR. CARTER TO NEGOTIATE TREATY.

Mr. Carter having on the 28th day of November, 1889, written out requesting special authority to negotiate the treaty, Ministers Austin, Thurston and Damon met the King in Cabinet Council at the Palace on the 20th of December, 1889, and advised His Majesty to sign an authorization to Mr. Carter to negotiate, subject to ratification, a treaty on the lines therefore agreed upon. Mr. Ashford was absent at this time in Canada. His Majesty at this meeting here I quote from the minutes: "Said he should decline to sign this authorization, that he had never agreed to this proposal for a treaty. That it had been hatched up by outsiders without consulting him." Further action concerning treaty negotiations here rested till the return of Mr. Ashford from Canada in March, 1890.

OBJECTION MADE BY MR. ASHFORD.

On his return, the Cabinet discussed the treaty proposition with him, and he for the first time objected to the clause wherein the United States guaranteed the independence of this country. The other members of the Cabinet then said,

to meet that objection, we will strike out the political feature of the treaty by eliminating Article 4 and make it purely a commercial treaty. Mr. Ashford still objected, and the question of whether, from a business point of view, such proposed commercial treaty would be wise, was proposed to consult with some of the business men of the country. This was agreed to by all of the members of the Cabinet. A conference of business men was called for March 24th, 1890. The unanimous opinion of the conference, after a full discussion, was to the effect that such a treaty would be of value to the country, and the strong desire was expressed that the Cabinet should attempt to negotiate it. Notwithstanding this, however, Mr. Ashford still refused to join his colleagues in advising His Majesty to sign a commission authorizing Mr. Carter to negotiate a treaty on this basis.

A Cabinet council was then called, April 10, 1890. All the Ministers were present, His Majesty presiding. I will quote from the Cabinet council minutes. The Minister of Foreign Affairs stated: "That the majority of the Cabinet advised His Majesty to sign an authorization to Minister Carter to negotiate and sign, subject to ratification, a treaty with the United States."

The authorization to Mr. Carter was in the following form:

KALAKAUA, King of the Hawaiian Islands:

To all to whom these presents shall come,—Greeting:

Know ye, that I have authorized His Excellency the Honorable Henry A. P. Carter, our Envoy Extraordinary and Minister Plenipotentiary to the United States of America, Knight Grand Cross of the Crown of Hawaii, Grand Officer of the Order of Kalakaua, Knight Commander of the Order of Kamehameha I., Actual Privy Councillor of State, to confer with any person or persons duly authorized by the Government of the United States for that purpose, and with him or them to negotiate, conclude and execute a convention upon the basis of the project hereto attached and made a part hereof. All of which acts shall be subject to our final ratification.

In witness whereof, I have caused the Seal of the Hawaiian Islands to be hereunto affixed. Given under my hand at the city of Honolulu, the day of April, A. D. 1890, and the seventh year of our reign.

The Attorney-General said "He would not advise the King to sign the commission." The Minister of the Interior took the ground that the King should look to the advice of the majority of the Cabinet in accordance with the decision of the Supreme Court. The Attorney-General again advised the King not to sign the commission; stating "That the opinion of the Judges of the Supreme Court is not in the slightest degree binding, and is of no more effect than that of any other three men of equal ability." His Majesty thereupon declined to sign the commission. There further consideration of the treaty seems to have ended.

STATEMENT OF THE MAJORITY OF THE COMMITTEE COMPARED WITH THE FACTS.

After careful examination of the testimony before us, I fail to find as charged by the majority report, that a certain duplicity has never been absent from the transactions of the Cabinet in respect of the Treaty matter. The evidence particularly of Messrs. Austin, Thurston and Damon is straightforward, and carries conviction that they in no way wish to cover the truth. Rep. Kalua's resolution did not call for private correspondence nor for Cabinet minutes. Nevertheless the Minister of Foreign Affairs has shown me the Cabinet minutes relating to Treaty matters, and is ready at any time to show the same to the rest of the committee. I find no evidence whatever that the obnoxious clause relating to "landing troops" was in any way premeditated, but that it was merely suggested by Mr. Carter that the United States might ask that this clause be put into the Treaty, if they were to guarantee the independence of Hawaii. Minister Ashford says, that this clause was at first unanimously agreed to; that after discussion it was subsequently struck out, for the reason that it would give the existing Government in the country too much power, and because His Majesty would certainly object to it, but that he understood it might be inserted afterwards in Washington. Mr. Ashford's statement on this point is not corroborated by any evidence, either oral or documentary, and is positively denied by all the other members of the Cabinet, who state that the first time the clause came before them in written form, they decided unanimously that they would not consent to any such proposition.

The evidence of Messrs. Austin, Thurston and Damon differs in minor points, but agrees remarkably in all important points, more especially in regard to the motives that governed their actions from first to last.

The majority report, in order to show that the "Ministerial utterances" were not reliable, brings up an important point to illustrate the charge (alluding to "Additions to Article 4"), that Minister Austin positively says that these additions only came in much later, as a sequence to the discussion of the other Articles, and Minister Thurston corroborates this, whilst Ministers Damon and Ashford distinctly state that the clause appeared in appendix, at the very first presentation of the draft.

Now all the evidence before us goes to show that the Cabinet had several meetings to discuss the proposed Treaty; that they first had a penciled copy, then a type written copy, and it is not at all to be wondered at that after a lapse of ten months there should be a slight difference of recollection as to the exact Cabinet meeting at which the "Landing of troops" clause was first brought up for consideration, besides which I can find no statement in Minister Austin's evidence that the troop clause "came in much later." The main point in connection with this clause is not when it first came up for consideration, but what was done with it, upon which the three Ministers concur.

The majority report characterizes the remarks made by Minister Thurston to His Majesty at the Cabinet council of December 20th last, as being "rather brutal."

This is, to say the least, a very extravagant, inappropriate and unwarranted use of the term. Mr. Thurston's remarks at that time, in calling on His Majesty to do what he (Thurston) considered to be His Majesty's duty, were plain and positive, but in no sense of the term could they be characterized as "brutal."

CONCLUSION OF THE MAJORITY OF THE COMMITTEE.

After discussing a number of irrelevant

matters not included in the resolution of the house, such as rumors of annexation; the motives of the ministers; the deluding or intimidating of His Majesty, the majority of the committee conclude that there were two objectionable clauses in the proposed Treaty, viz.:

1. "One in Article 4, by which we were to be deprived of the sovereign right of concluding treaties with other nations."

2. "One in Article 6, by which we were denied the equally sovereign right of terminating the treaty otherwise than by unanimous consent."

THE COMMITTEE'S FIRST POINT.

The majority of the committee advance no explanation of their first point, make no argument and give no reasons for their conclusion.

The reason that they do not is self-evident, from the fact that there is no such clause in the treaty, nor any semblance of such clause. This statement of the committee is therefore a direct and uncalled for misrepresentation.

The only mention of treaties in such section, is that in consideration of the United States guaranteeing the independence of the Hawaiian Islands, the Hawaiian Government should inform the United States of any treaties which it proposed to negotiate with any other country. There is no suggestion of the "consent" of the United States being required, or of any limitation to be placed upon our present rights in that respect.

As the first point made by the majority of the committee, has absolutely no foundation in fact, it is not necessary to consider it further than to call attention to it as a most signal illustration of the partisan spirit in which that report is drawn.

THE COMMITTEE'S SECOND POINT.

The committee's second point is that of Article 6 of the treaty: "We were denied the sovereign right of terminating the treaty, otherwise than by unanimous consent," and they subsequently speak of this section as binding us "perpetually" and "the perpetuity obligation on our side."

The committee advances no proof, reason, argument or precedent to show that the right to terminate a treaty at pleasure is a "sovereign right," to be sacredly guarded, or that there was any proposition to "bind ourselves perpetually," but content themselves with referring to certain letters from Mr. Carter written since the initiation of Cabinet action concerning the treaty, and in the light of subsequent action by the United States Congress.

The utter "hollowness and lack of foundation for this charge is shown by reference to treaties made between Hawaii and the various foreign countries, which could have easily been examined by the majority of the committee had they not acted with such unseemly haste.

So far from the right to terminate a treaty at pleasure being a "sovereign right," it is not to be modified or parted with, it is and has been continuously treated simply as one of the terms of a contract to be varied according to varying circumstances and as the parties may think their interests require.

Reference to Hawaiian treaties shows that the first treaty ever made by this country was with the United States in 1826, and it appears with the declaration that "The peace and friendship" subsisting between the two countries is "hereby confirmed and declared to be perpetual."

According to the logic of the majority of the committee, this country was thereby deprived of the "sovereign right" to declare war, if it thought best to do so. In 1839, the first French treaty was made. Article 1, reads: "There shall be perpetual peace and friendship" between the two countries.

In 1846 the first British treaty was made, Article 1, reads: "There shall be perpetual peace and amity" between the two sovereigns "their heirs and successors." An "additional article," of the same date as the treaty, reads: "This treaty shall not be permanently binding till it receive the ratification of the King of Denmark." The treaty was thereafter ratified by the King of Denmark, and is therefore by its terms a "permanent" or "perpetual" treaty.

In 1848, a treaty was made with Hamburg, containing the same wording.

In 1850 a new treaty was made with the United States, wherein it is again declared that "perpetual peace and amity" shall exist between the two countries.

In 1858 a new British treaty was made. Article 17 provides that at any time after the expiration of seven years from the date of the treaty, either party shall have the right to terminate Articles 4, 5 and 6 of the treaty on "twelve months' notice." The only logical inference from this is that the remainder of the treaty is perpetual.

In 1854 a treaty was made with Bremen, which duplicates the wording used in the Denmark and Hamburg treaties about "permanently binding" the two countries.

In 1855 a treaty was made with Sweden and Norway, which opens with a declaration of "perpetual friendship," and in Article 17 states a right of termination with respect to Articles 4, 5 and 6 only. The treaty concludes with the "permanently binding" clause of the Denmark and Hamburg treaties.

In 1858 a new treaty was made with France, opening with a declaration of "constant peace and perpetual friendship."

This treaty leaves nothing to logic or inference, but states that it shall remain in force for ten years, after which twelve months' notice of termination of certain articles may be given. "But in regard to the other articles, the said treaty shall remain nevertheless, perpetually obligatory, and cannot be modified except by a mutual agreement between the two contracting parties."

It is useless to particularize further, as these are simply samples of the treaties which Hawaii has been making with other countries ever since it became a recognised government. It will be observed that in every instance given above, not only Hawaii but, England, France, the United States, Denmark and all the other countries have been binding themselves to "perpetual" and "permanent" treaties, to be terminated only by "mutual consent" to the same degree that Hawaii has; so that according to the majority of the committee all these countries have during the past sixty years been recklessly surrendering "sovereign right."

The fact is that the Cabinet were proposing, concerning this point, no more

than has been done over and over again by the Hawaiian Government, and no more than the proudest and most powerful nations of the world have voluntarily incorporated in their treaties with Hawaii.

I do not accuse the majority of the committee of malicious intent, but I do say that they have shown gross ignorance.

CONCLUSION OF THE MINORITY OF THE COMMITTEE.

The direction of the House to the committee was two-fold:

1st.—To report whether the proposed treaty was intended, or calculated to in any wise jeopardize the political independence of Hawaii.

2nd.—To report whether the proposed treaty was intended, or calculated to in any wise jeopardize the commercial independence of Hawaii.

There is no evidence, either oral or documentary, that there has been anything but the most absolute and disinterested good faith upon the part of the Cabinet and the Hawaiian Minister at Washington, and a sincere endeavor on their part to advance the commercial prosperity of Hawaii.

The references to "annexation" in connection with the proposed treaty which have been made, are unworthy of any honest man. There is no party and no individual, that I know of, having any voice or control in Hawaiian affairs, who is in favor of annexation to the United States, or any other country, who is not honestly and heartily in favor of the maintenance and perpetuation of Hawaiian independence and autonomy. So well known is this that declarations and accusations of any persons to the contrary, should be looked upon with suspicion, and submitted to careful scrutiny to ascertain if ulterior objects and motives are not being cloaked under a vociferous semblance of patriotism.

I will consider second, the question whether the proposed treaty was calculated to in any wise jeopardize the political independence of Hawaii.

I say most emphatically that the proposed treaty did not jeopardize the political independence of the country, but on the contrary afforded the most substantial guarantee of such independence that we ever have had or ever can receive.

My reasons for saying this are as follows: Of all the vast number of islands in the Pacific Ocean, the Hawaiian Group is the only one of any importance which has not passed under the ownership or control of the great European nations. Within the last few years the policy of absorbing all available territory has been on the increase. Hawaii and its disposition has ever been the subject of consideration and discussion among certain of the great powers.

Hawaii cannot protect herself by force. It is all well enough to trust to mutual good will, good feeling and equity, but in the absence of any specific guarantee of non-interference, we never know what a day may bring forth. The rapidly changing policies and mutual relations between the great nations make it impossible to foretell the day when it may be considered essential to the protection of some great power to take possession of the islands.

Among all the various treaties made by this country there is not one which guarantees our independence.

The "recognition" of our independence by France and Great Britain is not a "guarantee" of our independence. Hawaii is not even a party to that agreement. It is simply an agreement between France and England that for their purposes, they will not interfere with this country. If they so choose they can abrogate that treaty to-morrow and we would have no right to object.

Under these circumstances, the opportunity is offered of obtaining a positive guaranty by a nation of a perpetual independence, not only as against all other nations, but as against herself.

What can be more astonishing or disingenuous than the claim that this proposition was a menace to our independence. The proposition was for the United States to, by solemn treaty, undertake to prevent foreign aggression in this country. The argument based hereon is that the Cabinet thereby intended to facilitate foreign aggression and secure annexation to the United States.

The argument is as illogical as is the proof that black is white.

Although the majority of the committee have evidently seen the ridiculous nature of this charge, as they make no mention of it in their report, I have mentioned it here as the charge has been made not only in the public press, but by the Attorney-General upon the floor of this House.

This proposition is not without precedent, as in the treaty between the United States and New Granada of the United States of Columbia, now of about forty years standing, the United States guarantees the autonomy of Columbia over her own territory, and I am informed that on several occasions this guaranty has been of the most signal service to Columbia.

The South American republics are most sensitive of their technical international rights, and in years past have been particularly jealous of the United States, but no suggestion has ever been made by Columbia that any of her "sovereign rights" were interfered with, or her "independence jeopardized" by this treaty. On the contrary, it has always been considered, as it in truth is, a most valuable protection to her against foreign aggression.

THE COMMERCIAL QUESTION.

In regard to the "commercial independence" of the country I would say that the United States is our natural commercial market, and any form of Treaty or commercial compact, can in no way alter the fact which is entirely natural and governed by our geographical location. It is our natural market on account of its proximity. The distance from here to the California coast is only 2000 miles, whereas all other available markets are 6, 8, and 10,000 miles from us. Ours is a tropical country and our products the products of a tropical country. The United States located in the temperate zone, wants our products, and we want their products, and all their manufactured goods, and this peculiar and natural call for reciprocal trade does not exist between us and any other country on the face of the earth. Take for instance our staple product, sugar. Canada is perhaps our only available market other than the United States, but with a population of only 5,000,000, it is not at all likely that they will take more than one-fourth, or at the outside, one-third of our crop. Moreover, it is about 6000 miles distant, and the expensive trans-continental railway freights render transportation to this country so great, that even if we had no Treaty with the United States, and were obliged to pay the duty that is likely to be imposed by that gov-

ernment in future, it would be more profitable for us to send our sugars to the United States and pay duty, rather than send them to Canada duty free. This is illustrated by the fact that Cuba sends the greater portion of her sugars to New York and pays a high duty in preference to sending them to England where no duty is charged. Australia does not want our sugars—they are flooded with sugar from Queensland and the sugar raising islands in their vicinity. A few years ago we tried that market and found it a perfect failure. No South American country wants our sugar—they raise their own. No European country wants our sugar—they are supplied with their own beet sugar, and the cane sugar of tropical islands in that vicinity. So that under any circumstances Treaty or no Treaty, the United States is the only, and the natural market for our sugars. This is equally true of nearly all our agricultural products, more especially all perishable fruits.

The products of this country admitted into the United States duty free under our present Treaty are very limited. These articles are arrowroot, bananas, castor oil, hides and skins undressed, pulu, rice, seeds, plants, shrubs or trees, muscavado, brown and all other unrefined sugar, syrup of sugar cane, melado and molasses, tallow, vegetables, dried and undried, preserved and unpreserved. I will mention a few articles, the products of this country, that are not included in our Treaty, and consequently pay a duty in the United States:

PRESENT DUTY.

Tobacco, 35c to \$1 per lb.
Wool, 10c to 12c per lb.
Lemons, 15c per box, 1 1/4 cub. ft.
Oranges, 15c per 1 1/4 cub. ft.
Limes, 20 per cent. ad valorem.
Figs and Raisins, 25c per lb.
Castor beans, 50c for 50 lbs.
Cattle, 20 per cent. ad valorem.
Sheep, 20 per cent. ad valorem.
Rams, (present duty unknown).
Fruits preserved in their juices, 25 per cent. ad valorem.
Beef, mutton and pork, 1c per lb.
Hemp, 25c per ton.

DUTY PROPOSED IN THE MCKINLEY BILL.

Tobacco, 40c to \$2.50 per lb.
Wool, 10c to 12c per lb.
Lemons, 25c per box, 1 1/4 cub. ft.
Oranges, 25c per 1 1/4 cub. ft.
Limes, 25c per box, 1 1/4 cub. ft.
Figs and Raisins, 25c per lb.
Castor beans, 32c for 50 lbs.
Cattle, more than 1 year old, \$10.
Sheep, \$1.50 per head.
Rams, 15 per cent. ad valorem.
Fruits preserved in their juices, 30 per cent. ad valorem.
Beef, mutton and pork, 2c per lb.
Hemp, 25c per ton.

Now, the day is far distant when the United States will remove all protection whatever, either in the shape of duty or a bounty, from their raw sugar industry, for if they do, I believe that industry will in time be blotted out. But even if they should do so, and our benefits, under the present treaty with the United States were rendered entirely nugatory so far as sugar is concerned, I contend that it will be profitable for this country to continue treaty relations with the United States on the basis of the proposed treaty. I believe that under the stimulus of free trade, there are several industries mentioned above, that would become flourishing industries, such as wool, sheep, cattle, tobacco, oranges, lemons and limes, castor beans, preserved pineapples and rams. Mr. McKinley, in his tariff bill, proposes a tariff on rams. I quote the following from his tariff report to the House of Representatives, Washington—"Rams is a remarkable fiber, which will if encouraged soon be woven into a great variety of the finest and most beautiful fabrics. The present season rams is being grown in many Southern States. It has passed the experimental stage and a great and valuable industry will be secured to the South by its protection." I need not say that rams grows here better than it does in the Southern States, as it is a tropical plant.

Under the stimulus of free trade all other industries mentioned above including wool are industries that the small farmer, any one with small means, can engage in, be they natives or foreigners. Under the present treaty bananas are the only fruit we raise to any extent for foreign shipment admitted into the United States duty free—witness the flourishing condition of that industry, every year increasing.

It should be the policy of the Hawaiian Government to enact such legislation, whether by treaty or otherwise as will encourage the smaller industries in the country, and make business profitable for small capitalists. Thus will the kuleanas of the native Hawaiians throughout the country become valuable property, and they will not be so dependent as they now are on wages for a living.

I feel that it is an evil that this country is so dependent on the sugar industry, and it is also an evil that there are not more small land owners throughout the country. It is not for the interest of this country to be dependent on one industry only, as any cause that would leave this industry profitless, would be a serious blow to all operations in the country. I say without hesitation, that with only our present treaty, the McKinley tariff bill threatens with one blow to paralyze the business of this country, and reduce very materially the value of property throughout the country.

Until plantations can greatly reduce their running expenses, and the present rates of wages to what they were before we obtained the present treaty, there will be no profit in the business. The poor people, the native Hawaiian, will feel this more than those who are better off.

But some say the United States might remove all duties on products such as we raise, and thus render entirely nugatory all benefits under a free trade treaty and as one of the terms of the proposed treaty is that it shall be terminated only by mutual consent, we would find ourselves helplessly bound. It is not at all likely that we, and I might say our children either, will live to see the day when the United States will remove all protection, either in the shape of duties or bounties, on all articles such as we raise here, and I am convinced that if we could be so fortunate as to obtain the commercial treaty proposed by the Cabinet, we would have no cause to fear such a clause—that on account of continued commercial advantages under such a treaty, it is not at all likely we should ever want to see it terminate. The United States is our natural and only commercial ally. If little Hawaii can be so fortunate as to come into a free trade alliance with this great and prosperous country, with unlimited resources that are increasing and developing yearly, we will surely share in and reap the benefits of her prosperity, if not in one way, certainly in other ways, and

our prosperity will be established on a more healthy and substantial basis.

THE OBJECT OF THE CABINET.

I finally desire to call attention to the fact that although the Executive has the legal right to negotiate and execute treaties, without consulting the Legislature, the Cabinet in this instance, have undertaken no such course.

All that they have endeavored to do was to set the matter in motion, so as to get it to a position where, after consultation with the Legislature, action could be taken, favorably or otherwise, as circumstances might indicate.

The statements made that the Cabinet advised the King to sign a Treaty, and by the Attorney-General that he advised the King "not to sign that Treaty" do not seem to be borne out by the evidence. The King has never been asked to sign a Treaty. All that he has been advised to do by the Cabinet was to sign a commission authorizing Mr. Carter to enter negotiations with the United States and to preliminarily agree upon a form of Treaty, which should be subject to ratification by the King, the Cabinet, and the Hawaiian Legislature.

On this point I quote from the Cabinet council minutes: Iolani Palace, December 20, 1889:

The Minister of Foreign Affairs said: "That the Cabinet, in the belief, that it is desirable to have a definite statement of what the United States Government is willing to agree to, for presentation to the Legislature, advise His Majesty to sign the authorization here presented."

The situation then is that the Cabinet was endeavoring to formulate a measure for presentation to the Legislature for its consideration.

Such measure has not been advanced to a stage at which anything can be done by the House concerning it.

Whether the Legislature, as a body, approve of each and every point in the proposed treaty or not, is not the issue. Without raising any party issue or expressing any approval or disapproval of the particular points in the treaty, the Cabinet can be given the credit for having attempted to bring before the House for consideration a subject, admitted by all to be of the greatest importance.

H. P. BALDWIN.

Of Committee on Foreign Relations.

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Bay colt Kaulele, by Kealia Belle of Kauai
Bay filly Filbertgibbet, by Kealia. Gertrude
Bay filly Ballotta, by Kealia... Ballotta

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4th dam Levity by imp. Trustee;
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6th dam Lucilla by imp. Panspetor;
7th dam Lucy by Orphan;
8th dam Lady Gray by Robin Gray;
9th dam Maria by Melzar;
10th dam by imp. Highflyer;
11th dam by Raylor's Rearnought;
12th dam by Ariel, son of Traveler;
13th dam by imp. Jack of Diamonds;
14th dam imp. Duchess by Cullen Arabian;
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